

REMARKS

This response is submitted in response to the Final Office Action mailed September 21, 2004, to request reconsideration of the rejection of claims 1 and 3-19 as set forth therein. In the event the Examiner determines that the foregoing amendments do not place the case in condition for allowance, it is respectfully requested that the above amendments be entered to place the claims in better form for consideration on appeal.

Initially, Applicants would like to thank the Examiner for the indication that claims 4-20 contain allowable subject matter and that claim 2 is allowed.

In the Official Action, the Examiner objects to claim 20 because the recitation of "second plate" on line 8 thereof should be --second plane--. In response, claim 20 has been amended as suggested by the Examiner. Accordingly, it is respectfully requested that the objection to claim 20 be withdrawn.

In the Official Action, the Examiner rejects claims 13, 14-19 and 20 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regard to claim 13, the Examiner argues that there is insufficient antecedent basis for the terms "the first coupling member," "the first pivot," and "the second pivot" on lines 16-17 of claim 13. In response, claim 13 has been amended to provide a proper antecedent basis for the former two terms, the last term being deleted.

With regard to claim 20, the term "the second pivot" is not recited in claim 20. Applicants assume the Examiner meant "the second plane" which now has a proper antecedent basis in light of the amendment to claim 20 as discussed above. With regard to the

term "the proximal ends" the same has been amended to --the proximal end portions-- which has an antecedent basis in the claim.

Accordingly, it is respectfully requested that the rejection of claims 13, 14-19 and 20 under 35 U.S.C. § 112, second paragraph, be withdrawn.

In the Official Action, the Examiner rejects claims 1 and 3 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,350,391 to Iacovelli, (hereinafter "Iacovelli").

In response, claim 1 has been canceled thereby rendering the rejection thereof moot. Claim 3 has been amended to depend from allowable claim 2. Therefore, the Examiner is respectfully requested to withdraw the rejection of claims 1 and 3 under 35 U.S.C. § 102(b).

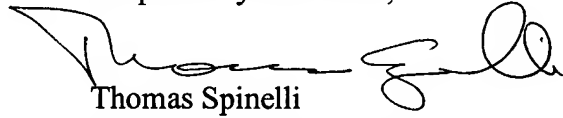
Claims 11, 12, and 19 have also been canceled.

Independent claims 2, 13, and 20 have been further amended to clarify the same and to improve their form and readability. Claims 3-10 and 14-18 have also been amended to change their dependencies and/or improve their form and readability.

The amendments to the claims are for clarification and are fully supported in the original disclosure. Thus, no new matter has been entered into the disclosure by way of the amendment to the claims. Furthermore, the amendment to the claims, being for clarification, do not present new issues. Therefore, the Examiner is respectfully requested to enter the present amendments to the claims.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas Spinelli', written over the printed name.

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